



DEPARTMENT OF THE NAVY

BOARD FOR CORRECTION OF NAVAL RECORDS

2 NAVY ANNEX

WASHINGTON DC 20370-5100

TJR

Docket No: 4017-99

26 November 1999

[REDACTED]

Dear [REDACTED]:

This is in reference to your application for correction of your naval record pursuant to the provisions of Title 10, United States Code, Section 1552.

A three-member panel of the Board for Correction of Naval Records, sitting in executive session, considered your application on 16 November 1999. Your allegations of error and injustice were reviewed in accordance with administrative regulations and procedures applicable to the proceedings of this Board. Documentary material considered by the Board consisted of your application, together with all material submitted in support thereof, your naval record, and applicable statutes, regulations, and policies.

After careful and conscientious consideration of the entire record, the Board found the evidence submitted was insufficient to establish the existence of probable material error or injustice.

The Board found you enlisted in the Navy on 21 July 1997. On 4 August 1997 you were referred for a psychiatric examination due to your lack of military bearing and inability to adapt to military life. Upon completion of the examination, you were diagnosed with a bipolar disorder and recommended for an administrative separation. Subsequently, you were notified of pending administrative separation action by reason of erroneous enlistment. After consulting with legal counsel you submitted a written statement in rebuttal to the separation. However, the discharge authority directed you be issued an uncharacterized entry level separation by reason of erroneous entry due to the diagnosed bipolar disorder. On 21 August 1997 you were so separated and assigned an RE-4 reenlistment code.

The Board, in its review of your entire record and application, carefully weighed all potentially mitigating factors, such as your contention that you would like your narrative reason for separation and reenlistment code changed. The Board also considered your source documentation. However, the Board concluded these factors were not sufficient to warrant a change

in your narrative reason for separation or reenlistment code because of your diagnosed bipolar disorder. Along these lines, the Board noted that such a disorder disqualified you for service and accordingly, your enlistment was erroneous. Further, an RE-4 reenlistment code is authorized and often assigned when an individual is separated by reason of erroneous enlistment due to psychological problems. Given all the circumstances of your case, the Board concluded your narrative reason for separation and reenlistment code were proper as issued and no change is warranted. Accordingly, your application has been denied.

The names and votes of the members of the panel will be furnished upon request.

It is regretted that the circumstances of your case are such that favorable action cannot be taken. You are entitled to have the Board reconsider its decision upon submission of new and material evidence or other matter not previously considered by the Board. In this regard, it is important to keep in mind that a presumption of regularity attaches to all official records. Consequently, when applying for a correction of an official naval record, the burden is on the applicant to demonstrate the existence of probable material error or injustice.

Sincerely,

W. DEAN PFEIFFER
Executive Director